

REMARKS

The Office Action of March 8, 2005, including the Examiner's comments, has been carefully considered. In response thereto, Claim 1 has been amended and rewritten in clean copy form as Claim 4. Original Claims 2 and 3 now depend from Claim 4. New Claim 5, also depending from Claim 4, has been added.

Submitted herewith is an English translation of the Priority Application, JP 2000-138974. As such, it is believed that Japanese Published Application No. JP 2001-40219 should be withdrawn as a reference.

Claim 1 still stands rejected under 35 U.S.C. §102(a) over Japanese Patent No. JP 10-139964. It also stands rejected under 35 U.S.C. §102(b) over the Bonnet et al., Okawa and Chen et al. references. It also stands rejected under 35 U.S.C. §102(e) over the Nishihara reference. Claim 1 has now been cancelled and rewritten in amended form as Claim 4. It is respectfully submitted that Claim 4 defines clearly over each of the aforescribed surviving references.

The invention defined by Claim 4 relates to a flame retardant comprising an aromatic group-containing organosiloxane compound. The compound has the mean composition formula described, it does not flow at 23°C, it flows at 200°C, it does not gelate when heated at 200°C with stirring for 30 minutes, and it has a number average molecular weight of not less than 2,000. At the same time, the compound dissolves not less than 100 g in one liter of a solvent toluene at 23°C wherein the aromatic group-containing organosiloxane compound comprises Q unit (SiO_2) as an essential unit or consists of M unit ($\text{R}_3\text{SiO}_{0.5}$), and T unit ($\text{RSiO}_{1.5}$).

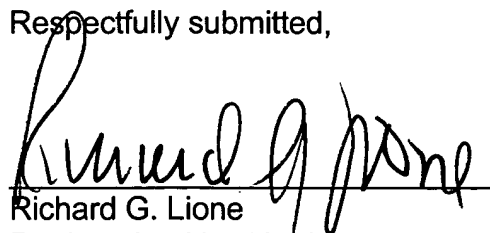
With regard to the 35 U.S.C. §102(a) rejection, it will be seen that the JP 10-139964 reference discloses a flame retardant resin composition comprising (A) a non-silicone resin having an aromatic ring and (B) a silicone resin having D unit ($\text{R}_2\text{SiO}_{1.0}$) and T unit ($\text{RSiO}_{1.5}$), wherein Mw of (B) is from 10,000 to 270,000 and R represents a hydrocarbon group. However, the reference does not disclose the aromatic group-containing organosiloxane compound in the present invention, which comprises Q unit (SiO_2) as an essential unit or consists of M unit ($\text{R}_3\text{SiO}_{0.5}$), and T unit ($\text{RSiO}_{1.5}$). Accordingly, the invention of Claim 4 is not anticipated by this reference.

Regarding the 35 U.S.C. §102(b) rejections, Bonnet relates to a process for the production of a polysiloxane resin which comprises (a) reacting an organosiloxane having a unit $(\text{RSiO}_{1.5})_a (\text{R}'\text{R}''\text{SiO})_b$ with a silane capping agent and (b) equilibrating the product of step (a) to produce a product having a softening point in excess of 50°C . Okawa relates to a method for the preparation of a diphenylsiloxane-dimethylsiloxane copolymer which comprises reacting a mixture comprising a blend of hexamethylcyclotrisiloxane and hexaphenylcyclotrisiloxane, and a lithium silanolate of $\text{LiO}(\text{R}_2\text{SiO})_1\text{Li}$, and then terminating the polymerization. Chen relates to a release agent comprising a blend of a non-phenol functionalized poly(organosiloxane) fluid and a phenol functionalized poly(organosiloxane) fluid. None of these references disclose the aromatic group-containing organosiloxane compound in the present invention, which comprises Q unit (SiO_2) as an essential unit or consists of M unit $(\text{R}_3\text{SiO}_{0.5})$, and T unit $(\text{RSiO}_{1.5})$. Moreover Okawa and Chen do not satisfy $1.1 \leq m + n \leq 1.7$ limitation in the present invention because $m + n \geq 2$ in Okawa and Chen. Accordingly, the invention of Claim 4 is not anticipated by any of these references.

Regarding the 35 U.S.C. §102(e) rejection, Nishihara relates to a process for imparting flame retardancy to a resin component (A) which comprises adding a flame retardant (B) having $\text{R}^3\text{O}(\text{R}^1\text{R}^2\text{SiO})_n\text{R}^4$ and an additional flame retardant (C) to the resin component (A). Nishihara does not disclose the aromatic group-containing organosiloxane compound in the present invention, which comprises Q unit (SiO_2) as an essential unit or consists of M unit $(\text{R}_3\text{SiO}_{0.5})$, and T unit $(\text{RSiO}_{1.5})$. Accordingly, the present invention of Claim 4 is not anticipated by Nishihara.

Independent Claim 4 should now be in allowable form. Claims 2, 3, and 5 depend from it, either directly or indirectly, and they should also be allowable. Passage of the application to issue is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard G. Lione", written over a horizontal line.

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